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Agricultural and Veterinary Chemicals (Control of Use) (Agricultural Spraying) Order 1996

Version current from 1 January 1997 to date (accessed 28 September 2018 at 14:51)



TASMANIA

Agricultural and Veterinary Chemicals (Control of Use) (Agricultural Spraying) Order 1996

I make the following order under section 27 of the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 .

17 December 1996

B. BONDE

Minister for Primary Industry and Fisheries

1. Short title

This order may be cited as the Agricultural and Veterinary Chemicals (Control of Use) (Agricultural Spraying) Order 1996 .

2. Commencement

This order takes effect on the day proclaimed under section 2 of the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 .

3. Interpretation

(1) In this order –

Act means the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 .

(2) The Acts Interpretation Act 1931 applies to the interpretation of this order as if the order were by-laws.

4. Chemical control area

In this order, the whole of Tasmania is the chemical control area.

5. Prohibition on spraying certain agricultural chemical products other than with a permit

A person must not perform by any means any agricultural spraying of an agricultural chemical product, or an agricultural chemical product of a class of agricultural chemical product, specified in Schedule 1 except where the agricultural spraying is conducted in accordance with a permit granted and in force under section 29 of the Act.

Penalty: Fine not exceeding 50 penalty units.

6. Prohibition on spraying certain agricultural chemical products during certain period

A person must not perform by any means any agricultural spraying of an agricultural chemical product, or an agricultural chemical product of a class of agricultural chemical product, specified in column 1 of Schedule 2 during the period specified in column 2 of that Schedule next to that agricultural chemical product or class except where the agricultural spraying is conducted in accordance with a permit granted and in force under section 29 of the Act.

Penalty: Fine not exceeding 50 penalty units.

7. Prohibitions on spraying agricultural chemical products by aircraft

(1) A person must not perform aerial spraying of an agricultural chemical product, or an agricultural chemical product of a class of agricultural chemical product, specified in Schedule 3 except where the spraying is conducted in accordance with a permit granted and in force under section 29 of the Act.

Penalty: Fine not exceeding 100 penalty units.

(2) A person must not perform, cause to be performed or allow to be performed any aerial spraying of an agricultural chemical product in contravention of the Code of Practice for Aerial Spraying in Tasmania published from time to time by the Council.

Penalty: Fine not exceeding 100 penalty units.

8. Prohibition on spraying certain chemical products for the purposes of vertebrate pest control

(1) A person must not perform by any means any agricultural spraying of a chemical product, or a chemical product of a class of chemical product, specified in Schedule 4 if that spraying is for the purpose of controlling pests that are vertebrates.

Penalty: Fine not exceeding 100 penalty units.

(2) Subclause (1) does not apply to an inspector who is authorised by the Chief Veterinary Officer to perform agricultural spraying of a chemical product referred to in that subclause for the purpose of controlling pests that

are vertebrates.

**SCHEDULE 1 - Agricultural chemical products that cannot be sprayed
except under a permit**

Clause 5

1. A chemical product containing 4 aminopyridine hydrochloride
2. A chemical product containing alpha chloralose
3. A chemical product containing beta chloralose
4. A chemical product containing mevinphos
5. A chemical product containing fenthion, when used or to be used for control of birds
6. A chemical product containing pindone.

**SCHEDULE 2 - Agricultural chemical products that cannot be sprayed
during certain periods**

Clause 6

Column 1 – Agricultural Chemical Products	Column 2 – Period
1. An agricultural product containing 2, 4-D	15 September in any year to 15 April in the next year

SCHEDULE 3 - Agricultural chemical products that cannot be aerial sprayed

Clause 7

- 1.** A chemical product which is listed, or which contains a constituent that is listed, in Schedule 7 to the Standard for the Uniform Scheduling of Drugs and Poisons, within the meaning of the Agvet Regulations of Tasmania.

SCHEDULE 4 - Chemical products that cannot be sprayed for the purposes of controlling vertebrate pests

Clause 8

1. Strychnine
2. Potassium cyanide
3. Sodium cyanide

Displayed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 25 December 1996

This order is administered in the Department of Primary Industry and Fisheries.